

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**STEPHEN ELLIOTT POWERS**

**PLAINTIFF**

v.

**No. 4:10CV57-GHD-RP**

**DR. JOHN EVANS, ET AL.**

**DEFENDANTS**

**JUDGMENT**

Having considered the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge and the objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is **ORDERED**:

1. That the plaintiff's objections to the Magistrate Judge's Report and Recommendation are **OVERRULED**;
2. That the Report and Recommendation of the United States Magistrate Judge is hereby **APPROVED AND ADOPTED** as the opinion of the court, with the exception that Mr. Coughlan's *ore tenus* motion to withdraw as counsel for Mr. Powers is **GRANTED**;
3. That the Consent Order in this case is **VACATED**;
4. That this case is **REINSTATED** to the court's active docket, subject to all the defenses in an ordinary case, as well as the requirements of the Prison Litigation Reform Act; and
5. The **DEADLINE** for the parties to file summary judgment motions and briefs is 30 days from the date of this order. The parties may respond to the respective motions within 14 days of the date the motions are filed.

**SO ORDERED**, this, the 8<sup>th</sup> day of February, 2019.

  
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**SENIOR JUDGE**